

IN THE EXECUTIVE ETHICS COMMISSION  
OF THE STATE OF ILLINOIS

IN RE:           BRAD O'HALLORAN, and           )           OEIG Case #13-01519  
                  MIKE McCOY

OEIG FINAL REPORT (REDACTED)

Below is an amended final summary report from an Executive Inspector General. The General Assembly has directed the Executive Ethics Commission (Commission) to redact information from this report that may reveal the identity of witnesses, complainants or informants and "any other information it believes should not be made public." 5 ILCS 430/20-52(b).

The Commission exercises this responsibility with great caution and with the goal of balancing the sometimes-competing interests of increasing transparency and operating with fairness to the accused. In order to balance these interests, the Commission may redact certain information contained in this report. The redactions are made with the understanding that the subject or subjects of the investigation have had no opportunity to rebut the report's factual allegations or legal conclusions before the Commission.

The Commission received this report from the Governor's Office of Executive Inspector General ("OEIG") and a response from the agency in this matter. The Commission, pursuant to 5 ILCS 430/20-52, redacted the final report and mailed copies of the redacted version and responses to the Attorney General, the Governor's Executive Inspector General, and to Brad O'Halloran and Mike McCoy at their last-known addresses.

The Commission reviewed all suggestions received and makes this document available pursuant to 5 ILCS 430/20-52.

**FINAL REPORT**

**I. INTRODUCTION**

In July 2013, the OEIG was informed that then-Metra Chairman Brad O'Halloran accepted compensation for an elected position with the Village of Orland Park while also serving on the Metra Board. This information was initially closed down into OEIG Case No. 13-00526 to investigate along with various other allegations involving Metra Board members. In light of the more limited nature and focus of these particular allegations, on July 14, 2016, the OEIG reopened OEIG Case No. 13-01519, in order to issue this Final Report. Ultimately, the OEIG found sufficient evidence to conclude that Mr. O'Halloran and then-Director Mike McCoy received simultaneous compensation from positions on the Metra Board and other elected or appointed positions, in violation of the Regional Transportation Authority Act (RTA Act).

## **II. THE RTA ACT**

The RTA Act provides that the Metra Chairman receives \$25,000 annually and that other directors receive \$15,000 annually.<sup>1</sup> The RTA Act prohibits Metra directors from receiving “any compensation from any elected or appointed office under the Constitution and laws of Illinois” while serving on the Metra Board.<sup>2</sup>

## **III. INVESTIGATION OF METRA BOARD DIRECTORS RECEIVING OTHER COMPENSATION**

After receiving information that then-Metra Chairman Brad O’Halloran accepted compensation for an elected position with the Village of Orland Park while also serving on the Metra Board, the OEIG looked into whether any other Metra Board directors had also been accepting compensation from other elected or appointed positions at that time. Specifically, OEIG investigators conducted internet research on the directors and also reviewed all of their Statements of Economic Interests, to see if there was evidence that any of them held other positions. Of the 11 Metra Board directors serving at the time of the search, the OEIG found that four had simultaneous elected or appointed positions including, Brad O’Halloran, Mike McCoy, [two names redacted—no findings of wrongdoing against them]. Each of these directors is discussed below.

### **A. Metra Director And Chairman Brad O’Halloran**

Records reviewed by OEIG investigators reveal that Mr. O’Halloran has served in compensated elected or appointed positions simultaneously, including positions on the Metra Board of Directors and the Village of Orland Park Board of Trustees.

From 1993 to August 1, 2013, Mr. O’Halloran served as an elected Village of Orland Park Trustee, a compensated position.<sup>3</sup> During this time, Mr. O’Halloran served two terms as a Metra director and or Chairman: July 2003 to February 2004 (first term) and July 2011 to August 2013 (second term). On November 2, 2012, during his second term, Mr. O’Halloran became the Metra Board Chairman.

#### **1. Brad O’Halloran’s First Term as a Metra Director**

During the investigation, the OEIG located a memorandum to Mr. O’Halloran from former Metra Executive Director Phil Pagano, dated July 8, 2003, attaching a memo from Metra’s then-General Counsel, advising Mr. O’Halloran that he could not be a Metra director if he received “any compensation as a Village Trustee in Orland Park.” These memos indicated that Mr. O’Halloran could be a Metra director and a Village of Orland Park Trustee if he refused compensation from the Village of Orland Park.

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<sup>1</sup> 70 ILCS 3615/3B.06.

<sup>2</sup> *Id.* at 3B.02(c). Directors on the boards for the Regional Transportation Authority (RTA) and Chicago Transit Authority (CTA) are also prohibited from accepting compensation under similar circumstances. *See* 70 ILCS 3615/3.01(f) and 70 ILCS 3605/19, respectively.

<sup>3</sup> Trustee is an elected position pursuant to the Illinois Municipal Code, 65 ILCS 5/3.1-25-5. *See also* Village of Orland Park website located at <http://il-orlandpark2.civicplus.com/index.aspx?NID=126> (last visited July 26, 2016).

Investigators discovered that during his first term on the Metra Board, Mr. O'Halloran took affirmative steps to waive his compensation from Orland Park. In a letter dated July 18, 2003, he informed the Orland Park Acting Village Manager that he was electing to waive his compensation as a Trustee "in order to be in compliance with the RTA Act." The letter explained that "the RTA Act [] forbids its directors from receiving compensation from any elected office."<sup>4</sup>

In February 2004, about the time when Mr. O'Halloran resigned from his first term as a Metra director, a Personal Action Form for Orland Park was executed, reflecting that he had been reinstated to "Paid Status Effective 2/13/2004" with Orland Park.

## **2. Brad O'Halloran's Second Term as Metra Director**

As noted above, in July 2011, while serving as a Village of Orland Park Trustee, Mr. O'Halloran was again appointed to the Metra Board for a second term. However, the OEIG found no documents indicating that Mr. O'Halloran took any action to waive compensation from the Village of Orland Park when he started his second term on the Metra Board. Rather, the documents indicate that it was not until about 16 months later, after he became Metra Chairman, that he took action and sought to waive compensation from Orland Park.

Specifically, a review of emails and contemporaneous handwritten notes, as well as interviews with Orland Park's Human Resources (HR) Director and the Village Manager, Paul Grimes, indicate that Mr. O'Halloran did not request to cease receiving compensation from Orland Park until late November or early December 2012. In interviews with the OEIG, the HR Director and Village Manager both said that they recalled that Mr. O'Halloran verbally told Mr. Grimes in late November or early December 2012 to stop compensating him. Upon being informed of Mr. O'Halloran's request, the HR Director changed his pay status in Orland Park's computer system on December 12, 2012, with an effective date of December 1, 2012.<sup>5</sup>

## **3. Documents Regarding Brad O'Halloran's Compensation from the Village of Orland Park in 2011 and 2012**

The OEIG obtained and reviewed numerous documents related to Mr. O'Halloran's receipt of simultaneous compensation from Metra<sup>6</sup> and the Village of Orland Park.<sup>7</sup> These documents revealed that payments from the Village of Orland Park to Mr. O'Halloran took the form of contributions to his deferred compensation account.

Investigators discovered that while Mr. O'Halloran was receiving deferred compensation contributions from the Village of Orland Park, various documents were mailed to his home

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<sup>4</sup> Attached to Mr. O'Halloran's letter were the memos from Metra's then-General Counsel and Executive Director, both of which said that directors could not receive compensation from any other elected or appointed office.

<sup>5</sup> According to the HR Director, she later received an undated letter from Mr. O'Halloran, verifying his request. This letter stated, in its entirety: "Pursuant to our conversation, please remove me from the payroll of the Village of Orland Park. I am formally waiving my salary of Trustee until further notice. Thank you for your attention to this matter." The HR Director sent an email to Mr. Grimes on January 4, 2013, in which she reported that she had left Mr. O'Halloran a voicemail explaining that his change in compensation status became effective December 1, 2012.

<sup>6</sup> Mr. O'Halloran received \$7,500 in 2011 and approximately \$16,638 in 2012 in compensation from Metra.

<sup>7</sup> The Village of Orland Park paid Mr. O'Halloran more than \$12,000 in 2011 and more than \$11,000 in 2012.

address, including: “zero net checks,”<sup>8</sup> W-2 tax forms, and quarterly financial statements from Nationwide Retirement Solutions (Nationwide), the company that manages the Village of Orland Park’s deferred compensation accounts. These documents identified the amounts that Orland Park contributed to Mr. O’Halloran’s deferred compensation account.

#### **4. Events Relating to the OEIG’s Issuance of a Subpoena to the Village of Orland Park**

In order to obtain the above-referenced documents, the OEIG issued a subpoena to the Village of Orland Park. During this investigation, the OEIG discovered, through documents, emails, and interviews with Messrs. Grimes and O’Halloran, that the following events occurred around the time the OEIG issued its subpoena:

- ***On July 10, 2013***, the OEIG issued a subpoena to the Village of Orland Park for the above-referenced records of payments made to Mr. O’Halloran.
- ***On July 12, 2013***, Orland Park Village Manager Paul Grimes informed Mr. O’Halloran about the subpoena and provided him with a copy of the OEIG subpoena.
- ***On July 12, 2013***, Mr. O’Halloran sent a letter to Mr. Grimes stating, in part:

As you know, I previously gave notice to Orland Park that, as a result of my becoming a Director on the Metra board, I could no longer accept compensation from the Village. It was my intent that all compensation to me from Orland Park cease effective July 2011. Now, it has come to my attention that, through my deferred compensation plan, Orland Park did compensate me, not by payment of money directly to me, but through contributions to my retirement plan and other benefits. I have been told these contributions and benefits were paid for the period of July 2011 through November 2012 and that they totaled \$22,167.36.

Enclosed with this letter is my check returning that amount to Orland Park. Please confirm that this adequately covers Orland Park’s costs in this regard and also understand that it was not my intent to receive any of these compensation and benefits.<sup>9</sup>

- ***On July 16, 2013***, Mr. Grimes sent Mr. O’Halloran a letter, stating, in part, “Please note that our records indicate that your request to cease compensation was processed on December 3, 2012, with an effective date of December 1, 2012.”

Mr. Grimes’ July 16, 2013 letter also acknowledged receipt of a check from Mr. O’Halloran for over \$22,000, but said he would not cash the check, and would instead apply for reimbursements

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<sup>8</sup> A “zero net check” consists of a voided check for zero dollars and a “receipt” identifying the amount of monthly earnings that were distributed in other manners, such as being put directly into a deferred compensation account via direct deposit. Mr. O’Halloran received one zero net check per month.

<sup>9</sup> Between July 12 and 19, 2013, Mr. O’Halloran apparently advised the then-Metra Ethics Officer of his receipt of compensation from the Village of Orland Park. According to a July 24, 2013 email, the Ethics Officer concluded, based solely on the facts presented to the Ethics Officer by Mr. O’Halloran, that Orland Park must have mistakenly paid him without his knowledge, and noted that he reimbursed Orland Park when he discovered the mistake.

directly from Nationwide. On October 25, 2013, Mr. Grimes sent a letter to Mr. O'Halloran confirming that the Village of Orland Park had received a refund check from Nationwide.

### **5. Interview Statements of Brad O'Halloran Regarding His Compensation from Both Metra and the Village of Orland Park**

On August 19 and 22, 2013, the OEIG interviewed Mr. O'Halloran about numerous topics as part of OEIG Case No. 13-00526, including his simultaneous receipt of compensation from both Metra and Orland Park.<sup>10</sup> During his interview, Mr. O'Halloran initially said that he did not recall sending a 2003 letter to Orland Park requesting to waive his compensation. However, after being shown his July 18, 2003 letter, he confirmed writing the letter and also confirmed that in 2003 he knew the RTA Act prohibited him from accepting compensation from both Metra and Orland Park.

In addition, after being shown a copy of an undated letter he sent to Orland Park requesting to waive his salary, Mr. O'Halloran confirmed sending it to Orland Park around December 2012. Mr. O'Halloran said he only provided the letter because Orland Park's HR Director requested it, and he thought she was just catching up on paperwork. Mr. O'Halloran stated that at the time he provided the letter, he did not realize that he had been receiving payments from Orland Park since July 2011.

Mr. O'Halloran confirmed that he received a telephone call from Mr. Grimes in July 2013, in which Mr. Grimes informed him of the OEIG's subpoena. According to Mr. O'Halloran, the July 2013 telephone call from Mr. Grimes was *the first time* he learned that Orland Park made contributions to his deferred compensation account through December 2012. Mr. O'Halloran said that as soon as he learned of the contributions Orland Park made to him from July 2011 through December 2012, he sent Orland Park a letter and a check to repay the contributions.

Based on the above-referenced statements, the OEIG asked Mr. O'Halloran about documents he may have received between July 2011 and December 2012 that would have informed him that he was receiving compensation from the Village of Orland Park, including, for example, his zero net checks, W-2 tax forms, and statements from his deferred compensation account. In response to these questions, Mr. O'Halloran stated:

- he never received a paycheck from Orland Park, as his pay went directly to his deferred compensation account;
- he did receive a monthly check from Orland Park reflecting payment of \$0.00, but he did not review these documents closely;<sup>11</sup>
- he did not recall seeing a record of payments from Orland Park on any W-2 forms;<sup>12</sup>

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<sup>10</sup> Because Mr. O'Halloran was specifically questioned about and made statements regarding his simultaneous receipt of compensation from both Metra and the Village of Orland Park, the OEIG incorporated excerpts from the transcript of that interview into this investigation and determined that it was unnecessary to re-interview Mr. O'Halloran.

<sup>11</sup> Mr. O'Halloran said he just ripped the monthly checks up and threw them away.

<sup>12</sup> Mr. O'Halloran explained that he just forwarded his W-2 forms to his accountant when he received them.

- he does review and approve his tax returns before submitting them; however, when asked if it was possible that he had seen his Orland Park W-2 forms when reviewing his tax returns, he responded that his tax returns were “very long and extensive;”
- he only received electronic statements for his deferred compensation account; and
- when he logged on to review electronic statements for his deferred compensation account, he only looked at the total balance.

Mr. O’Halloran confirmed that *only* Orland Park contributed to his Nationwide deferred compensation account.

## **B. Metra Board Director Mike McCoy**

During the investigation, the OEIG learned that then-Director Mike McCoy also held a position on the Aurora Election Commission.

### **1. Mike McCoy’s Aurora Election Commission Position and Compensation**

Mr. McCoy was appointed to the Metra Board in July 2011 and resigned in July 2013. Documentation from Metra revealed that Mr. McCoy received \$7,500 in 2011, \$15,000 in 2012, and more than \$8,000 in 2013 for his service as a Metra director.

Mr. McCoy has also served as a Commissioner on the Board of the Aurora Election Commission since 2007. The Aurora Election Commission is organized under and operates pursuant to the Illinois Election Code.<sup>13</sup> Commissioners are appointed by the Chief Judge of the 16<sup>th</sup> Circuit Court and serve three-year terms.<sup>14</sup> Documentation from the Aurora Election Commission reflected that Mr. McCoy receives compensation of approximately \$3,600 on an annual basis for his services.

### **2. Interview Statements of Mike McCoy Regarding His Compensation from Both Metra and the Aurora Election Commission**

On August 7, 2013, investigators interviewed Mr. McCoy about numerous topics as part of OEIG Case No. 13-00526, including about his compensation.<sup>15</sup> In this interview, Mr. McCoy confirmed that he received annual compensation in the amount of \$3,600 for his Aurora Election Commission position throughout his tenure on the Metra Board. Mr. McCoy also confirmed that he received \$15,000 in annual compensation for his position on the Metra Board.

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<sup>13</sup> See Aurora Election Commission Ordinance No. 2012-01, available at <http://auroravotes.org/Media/Default/board/Ordinances/2012/Ordinance%20No.%202012-01.pdf> (last visited July 26, 2016).

<sup>14</sup> See <http://auroravotes.org/about> (last visited on July 26, 2016).

<sup>15</sup> Because Mr. McCoy was specifically questioned about and made statements regarding his simultaneous receipt of compensation from both Metra and the Aurora Election Commission, the OEIG summarized the statements he made in that interview that are relevant to the case at hand in a new interview report, incorporated that report into this investigation, and determined that it was unnecessary to re-interview Mr. McCoy.

Mr. McCoy said that he had not been aware that the RTA Act prohibited Metra directors from receiving compensation from another elected or appointed position until he saw media coverage about Mr. O'Halloran returning \$22,000 to Orland Park. Mr. McCoy said that Metra was aware that he received other compensation because he listed his Aurora Election Commission position on the Statement of Economic Interests that he submitted for Metra, and said Metra's former Board Counsel helped him complete this form.<sup>16</sup>

**C. [Redacted]**

[The following subsection consists of approximately ½ page and concerns the investigation of two individuals. No findings are made against these individuals and the Commission exercises its authority pursuant to 5 ILCS 430/20-52 to redact this subsection.]

**IV. ANALYSIS**

As noted above, the RTA Act prohibits Metra directors from receiving "any compensation from any elected or appointed office under the Constitution and laws of Illinois" while serving on the Metra Board.<sup>17</sup>

**A. Brad O'Halloran Violated The RTA Act Prohibition Against Receiving Compensation**

In 2003, Mr. O'Halloran instructed the Village of Orland Park to stop paying him after he was first appointed to the Metra Board because he knew he was prohibited from accepting simultaneous Metra and Orland Park compensation. He immediately asked that his Orland Park compensation be reinstated after he left Metra in February 2004. In other words, he wanted to start receiving his Orland Park compensation as soon as his Metra compensation ended.

However, the OEIG found no evidence that Mr. O'Halloran asked Orland Park to cease compensating him when he was appointed to the Metra Board in July 2011 for his second term. In fact, Mr. O'Halloran continued receiving simultaneous Metra and Orland Park compensation for about 16 months, from about July 2011 to December 2012, when he finally requested that Orland Park cease payments.

During his OEIG interview, Mr. O'Halloran said that he was aware that the RTA Act prohibited him from simultaneously receiving salaries from both Metra and the Village of Orland Park. However, Mr. O'Halloran claimed he had been unaware that he received compensation from the Village of Orland Park from July 2011 to December 2012, until Village Manager Paul Grimes notified him of the OEIG's subpoena in July 2013. The OEIG does not find Mr. O'Halloran's statements to be credible and concludes that he must have known he was receiving compensation from Orland Park for the following reasons:

- *first*, because he affirmatively asked that his Orland Park compensation stop in 2003, when he was appointed to the Metra Board for the first time, and affirmatively asked Orland Park to reinstate his salary immediately after he left the Metra Board in 2004;

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<sup>16</sup> The OEIG reviewed Mr. McCoy's Statements of Economic Interests for 2011, 2012, and 2013, and confirmed that he had, in fact, documented his Aurora Election Commission position on each of these forms.

<sup>17</sup> 70 ILCS 3615/3B.02(c).

- *second*, because 16 months into his second term, in December 2012, he affirmatively asked that his Orland Park compensation stop; and
- *third*, because *multiple* documents (over 20) were mailed to him during the 16-month period when he was simultaneously receiving Metra and Village of Orland Park compensation, which would have logically placed him on notice that he was still receiving compensation from both Metra and the Village of Orland Park.<sup>18</sup>

In any event, it was Mr. O'Halloran's responsibility, while he was a Metra director and Chairman, to ensure that he was not receiving compensation in violation of the RTA Act. Although Mr. O'Halloran eventually returned to the Village of Orland Park approximately \$22,000, which he received in deferred compensation contributions, the fact remains that he received the contributions from Orland Park while he served simultaneously for Metra and Orland Park, which is inconsistent with the RTA Act. The OEIG concludes that Brad O'Halloran violated the RTA Act when he received simultaneous compensation as a Metra director and Orland Park Trustee from July 2011 through November 2012, and therefore, that allegation is **FOUNDED**.<sup>19</sup>

#### **B. Mike McCoy Violated The RTA Act Prohibition Against Receiving Compensation**

Mr. McCoy admitted that for the entire time that he served and was compensated as a Metra director, from July 2011 until July 2013, he also received compensation (approximately \$3,600 annually) as a Commissioner for the Aurora Election Commission. Mr. McCoy, however, also indicated that he was unaware of the RTA Act provision that prohibited Metra directors from receiving other compensation from an elected or appointed position, which is also evidenced by the fact that he listed his Aurora Election Commission position on his Statement of Economic Interests. Nevertheless, the OEIG concludes that Mike McCoy violated the RTA Act when he received simultaneous compensation as a Metra director and as a Commissioner for the Aurora Election Commission from July 2011 until July 2013, and therefore, that allegation is **FOUNDED**.

#### **C. [Redacted]**

[The following subsection consists of two sentences and concerns the investigation of two individuals. No findings are made against these individuals and the Commission exercises its authority pursuant to 5 ILCS 430/20-52 to redact this subsection.]

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<sup>18</sup> This includes one zero net check per month from the Village of Orland Park, as well as quarterly statements from Nationwide.

<sup>19</sup> The OEIG concludes that an allegation is "founded" when it has determined that there is reasonable cause to believe that a violation of law or policy has occurred, or that there has been fraud, waste, mismanagement, misconduct, nonfeasance, misfeasance, or malfeasance.



## V. FINDINGS AND RECOMMENDATION

As a result of its investigation, the OEIG concludes that there is **REASONABLE CAUSE TO ISSUE THE FOLLOWING FINDINGS:**

- **FOUNDED** – Brad O’Halloran violated the RTA Act when he received simultaneous compensation as a Metra director and Orland Park Trustee from July 2011 through November 2012.
- **FOUNDED** – Mike McCoy violated the RTA Act when he received simultaneous compensation as a Metra director and as a Commissioner for the Aurora Election Commission from July 2011 until July 2013.
- **UNFOUNDED** – [Redacted].
- **UNFOUNDED** – [Redacted].

Because neither Mr. O’Halloran nor Mr. McCoy remain on the Metra Board, and since there does not appear to be any penalty in the RTA Act for violating the Act, the OEIG does not make any recommendations with regard to Mr. O’Halloran or Mr. McCoy.

However, the OEIG does recommend that either the Office of the Governor, as the ultimate jurisdictional authority for board members of the Regional Transit Boards, and/or Metra take whatever action they deem necessary to ensure that all current and future board members are aware of and abide by the prohibitions against accepting simultaneous salaries from certain positions while receiving salaries for Metra positions. Similarly, the OEIG recommends that the Office of the Governor work with the RTA and CTA to ensure that their board members are aware of and abide by the prohibitions against accepting simultaneous salaries from certain positions while receiving salaries for their respective board positions.

No further investigative action is needed and this case is considered closed.

Date: August 4, 2016

Office of Executive Inspector General  
for the Agencies of the Illinois Governor  
69 W. Washington Street, Ste. 3400  
Chicago, IL 60602

By: **Fallon Opperman, #141**  
Deputy Inspector General & Chief

**Daniel Bohaczyk, #114**  
Investigator

**Julie Africk, #126**  
Investigator



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August 8, 2016

Fallon Opperman  
Deputy Inspector General  
and Chief of Chicago Division  
Office of Executive Inspector General for the Agencies of the Illinois Governor  
69 West Washington St., Suite 3400  
Chicago, Illinois 60602

Re: OEIG Case No. 13-01519—Final Report Response

Dear Ms. Opperman:

Metra and Chairman Martin Oberman are in receipt of the Office of Executive Inspector General (OEIG) Final Report regarding former Metra Board Chair Brad O'Halloran and former Director Mike McCoy. In accordance with 5 ILCS 430/20-50(a), the instant letter serves as a joint response to the Final Report.


In the Final Report, the OEIG found sufficient evidence to conclude that former Metra Board Chair Brad O'Halloran and former Director Mike McCoy received simultaneous compensation from positions on the Metra Board and other elected or appointed positions, in violation of the Regional Transportation Authority Act (RTA Act). The OEIG also concluded that \_\_\_\_\_ and \_\_\_\_\_ did not violate the RTA Act because they did not receive compensation from other elected or appointed positions while serving on Metra's Board of Directors. The Final Report recommends that Metra ensure that current and future directors are aware of and abide by the aforementioned prohibition in RTA Act.

Starting in 2013, Metra's Law Department developed in-person training and provided an educational binder for all new Directors. Included in both the in-person training and binder are discussions on the RTA Act, which includes the prohibition against receiving simultaneous salaries from certain positions while serving on the Board of Directors.

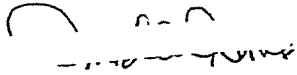
Given the findings and in response to the Final Report, Metra will emphasize this issue and modify its training to specifically request that all board members sign a confirmation, affirmatively stating that they are aware of the prohibition against receiving simultaneous salaries from other elected or appointed positions while serving on the Board of Directors and are not violating this provision.

Metra and its Board of Directors appreciate the work done by the OEIG. If there are any questions or concerns regarding this response, please do not hesitate to contact me.

Sincerely,

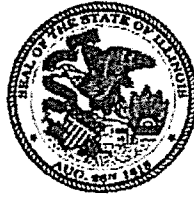


✓ Martin Oberman  
Chairman



Don Orseno  
Executive Director / CEO

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**OFFICE OF THE GOVERNOR**

JRTC, 100 W. RANDOLPH, SUITE 16-100  
CHICAGO, ILLINOIS 60601

**BRUCE RAUNER  
GOVERNOR**

September 23, 2016

Fallon Opperman, Deputy Inspector General & Chief  
Office of Executive Inspector General for the Agencies of the Illinois Governor ("OEIG")  
69 w. Washington St., Ste. 3400  
Chicago, IL 60602

VIA E-MAIL

Re: Response to OEIG Final Report in Case Number 13-01519

Dear Fallon:

The Office of the Governor has reviewed the OEIG's report, findings, and recommendations in Case Number 13-01519 related to certain former Metra board members receiving simultaneous compensation from positions on the Metra Board and other elected or appointed positions, in violation of the Regional Transportation Authority Act.

In order to ensure that all future Governor appointees to the boards of Metra, the Regional Transportation Authority, and the Chicago Transit Authority (all who are also prohibited from receiving simultaneously compensation from positions on their respective board and other elected or appointed positions) comply with the prohibition on simultaneous compensation, the Office of the Governor will counsel the Governor's appointees to such boards on compliance with this prohibition prior to being appointed to any of these boards. In addition, we will ensure that potential conflicts with this provision are flagged during our process of reviewing potential appointees to these boards so that the aforementioned counseling takes place as early as possible in the appointments process, and before any appointee begins their service on the relevant board.

Office of the Governor  
September 23, 2016  
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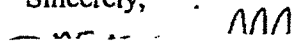

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As you know, there are members of these boards that are not appointed by the Governor. In order to ensure that each of these boards also has its own internal procedures to comply with this prohibition, we are recommending the following to these boards (via a communication to each board's ethics officer):

We recommend that the board adopts a policy requiring all board members to certify, upon appointment, that they understand and will abide by the relevant restrictions in their governing statute, including the prohibition on simultaneous compensation. We will further recommend that, going forward, the boards require certification by each board member, on an annual or other basis, that such board members did not receive prohibited simultaneous compensation over the prior calendar year during which they served on the board. It is the duty of the boards to consider these recommendations and determine what specific policies it is appropriate to adopt.

Please don't hesitate to reach out to me at [Georgia.Man@illinois.gov](mailto:Georgia.Man@illinois.gov) or 312-814-1181 with any questions.

Sincerely,

  
  
Georgia Man  
Chief Compliance Officer and Deputy General Counsel



**Office of Executive Inspector General**  
**for the Agencies of the Illinois Governor**  
www.inspectorgeneral.illinois.gov

**AGENCY OR ULTIMATE JURISDICTIONAL AUTHORITY  
RESPONSE FORM**

Case Number: 13-01519

Return 20 Days After Receipt

Please check the box that applies. (Please attach additional materials, as necessary.)

☐ We have implemented all of the OEIG recommendations. Please provide details as to actions taken:

☒ We will implement some or all of the OEIG recommendations but will require additional time to do so.  
We will report to OEIG within 30 days from the original return date.

☐ We do not wish to implement some or all of the OEIG recommendations. Please provide details as to what actions were taken, if any, in response to OEIG recommendations:

h. 11/11/11  
Signature [Signature]

Georgia Man  
Print Name

Office of the Governor, Chief Compliance Officer & Deputy General Counsel  
Print Agency and Job Title

8/24/16  
Date